GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water Resources Department - Land Acquisition - Lands acquired in Reach No.14 of Malinenipatnam Village, Atloor Mandal, YSR Kadapa District- Payment of balance decretal charges of Rs.33,41,173/- (including Income Tax of Rs.3,44,208/-) (calculated up to 30.04.2021) in LAOP No.54/1999 towards compensation for pomegranate trees, to comply with the orders of the Hon'ble Supreme Court of India in Miscellaneous Application No (s).1427/2020 in MA No.2174/2019 in Contempt Petition (C) No.484/2019 in CA No.10045/2018 , dated:06.04.2021- Sanctioned - Orders – Issued.

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WATER RESOURCES (LA) DEPARTMENT

G.O.RT.No. 287 Dated: 09-08-2021

Read the following:-

1. G.O.Rt.No.738, I&CAD (PW-LA.II) Department, Dated:02.11.2010.
2. G.O.Rt.No.229, Water Recourses (LA) Department, Dated:18.05.2017.
3. G.O.Rt.No.422, Water Recourses (LA) Department, Dated:17.09.2019.
4. Orders dated:09.12.2019 of the Hon'ble Supreme Court of India in IA(Revival Application)No.155800/2019 with MA No.2174/2019 in Contempt Petition(C)No.484/2019 in Civil Appeal No.10045/2018.
5. Letter Ref.No.A1/285/2009, Dated:07.09.2020 of the Special Collector (LA), GNSS, YSR Kadapa District.
6. G.O.Rt.No.476, Water Recourses (LA) Department, Dated:11.09.2020.
7. Orders dated:09.12.2019 of Hon'ble Supreme Court of India in Contempt Petition (C) No.484/2019 in CA No.10045/2018.
8. Government Memo No.ICD01/22/2019/LA, Dated:05.02.2020.
9. Miscellaneous Application No.1427/2020 in MA No.2174/2019 in Contempt Petition (C) No.484/2019 in CA No.10045/2018.
10. Orders dated:06.04.2021 of Hon'ble Supreme Court of India in Miscellaneous Application No.1427/2020 in MA No.2174/2019 in Contempt Petition (C) No.484/2019 in CA No.10045/2018.
11. From the CCLA, Vijayawada, Letter No.LA-II/177/2021, Dated:11.07.2021.
12. Govt. Memo No.ICD01/781/2019/LA,Dated:06.07.2021.
13. From the CCLA, Vijayawada, Letter No.LA-II/183/2021, Dated:04.08.2021.

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ORDER:

Keeping in view the orders of the Hon'ble Supreme Court of India in the reference 4th and 10th read above and also the circumstances reported by the CCLA in the letters 11th and 13th read above, Government after careful examination of the matter, hereby accord sanction for an amount of Rs.33,41,173/- (Rupees Thirty Three lakh Forty One thousand One hundred and Seventy Three only) (including Income Tax of Rs.3,44,208/-) (calculated up to 30.04.2021) towards balance decretal charges to be deposited in the respective court in LAOP No.54/1999, regarding payment of compensation for pomegranate trees situated in Reach No.14 of Malinenipatnam Village, Atloor Mandal, YSR Kadapa District, to comply with the orders of the Hon'ble Supreme Court of India in Miscellaneous Application No.1427/2020 in MA No.2174/2019 in Contempt Petition (C) No.484/2019 in civil Appeal No.10045/2018, dated:06.04.2021, subject to conditions that,-

(i) verification whether the reference under Section 18(1) of the L.A. Act is made to the Lower Court after following all the guidelines / directions on the subject;

(ii) in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government / Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada, immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition;

(iii) confirmation of concerned Chief Engineer as to the extent of land acquired;

(iv) reviewing the interest calculations as per the specific Government orders issued (duly furnishing) and also outcome of the court cases pending if any;

(v) to ensure the correctness of the amount as per the orders of Hon'ble Supreme Court; and

(vi) the Special Collector (LA), GNSS, Kadapa shall verify at his/her level thoroughly the calculations made by the Special Deputy Collector (LA), Somasila Project, Unit-IV, Rajampet with reference to the decree and instructions issued by the Government/Chief Commissioner of Land Administration, Vijayawada on the subject matter from time to time, to avoid excess and double payment before depositing the above sanctioned decretal amount in the respective Lower Court.

2. The expenditure sanctioned in para (1) above shall be debited to the Head of Account under "4700 - COL on Major Irrigation; 01 – Major Irrigation; MH.112 Somasila Project- G.H. (11) – Normal State Plan; S.H. (26) Dam and Appurtenants works; 530 Major Works; 532 – Lands (Charged)".

3. The Chief Commissioner of Land Administration and Special Chief Secretary to Government, Andhra Pradesh, Vijayawada / the Special Collector (LA), GNSS, Kadapa shall take necessary action in the matter, accordingly.

4. This order issues with the concurrence of Finance Department vide their U.O.No. FMU0PC (WR2)/143/2019- FMU-WR-II(Computer No. 977145), Dated:08.08.2021.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.SYAMALA RAO
SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration and the Special Chief Secretary to Government, Andhra Pradesh, Gollapudi, Vijayawada, Krishna District.
The Special Collector (LA), GNSS, Kadapa.
The Spl. Deputy Collector (LA), Somasila Project, Unit-IV, Rajampet, YSR Kadapa District.
The Chief Engineer, WRD, Kadapa.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Works Accounts, 'C' Block, Anjaneya Towers, Ibrahimpatnam, Vijayawada.

Copy to:

The Advocate on Records, AP Bhavan, No.1, Ashoka Road, New Delhi - 110 001.
The PS to Minister (WRD).
The P.S. to Special Chief Secretary to Government, W.R. Department.
The Finance (FMU-W.R-II) Department.
File No.ICD01/781/2019-LA (Com. No.973831).
SF/SC

//Forwarded :: By Order//

SECTION OFFICER